

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
05-CA-246517Date Filed
8/12/19**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Amazon		b. Tel. No. 206-266-1000
		c. Cell No.
		f. Fax, No.
d. Address (Street, city, state, and ZIP code) Corporate: 410 Terry Ave. North, Seattle, WA, 98109-5210 DCA1 FC: 1700 Sparrows Point Blvd, Sparrows Point, MD 21219	e. Employer Representative Tim Foley, Site Manager, DCA1 Anitra Washington, HR	g. e-mail
		h. Number of workers employed 600,000
i. Type of Establishment (factory, mine, wholesaler, etc.) E-Commerce	j. Identify principal product or service various	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

1. Amazon DCA1 has neglected to give paid breaks for 4 or more of hours of work as outlined in their policy;
2. Amazon DCA1 has failed to implement rest breaks for the purpose as outlined/emphasized in their policy;
3. Amazon DCA1 quota rate system is subject to foul play (discrimination and retaliation) and associate ability misrepresentation that could affect future employment; and,
4. Amazon Ethics call/email line is not secure for making complaints about management (suspicious policy changes or behaviors).

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

(b) (6), (b) (7)(C)

4c. Cell No.

(b) (6), (b) (7)(C)

4d. Fax No.**4e. e-mail**

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(signature)

person making charge)

(Print/type name and title or office, if any)

(b) (6), (b) (7)(C)

Address

Date 08/12/2019

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.

(b) (6), (b) (7)(C)

Fax No.**e-mail**

(b) (6), (b) (7)(C)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410)962-2822
Fax: (410)962-2198

October 15, 2019

(b) (6), (b) (7)(C)

Re: Amazon
Case 05-CA-246517

Dear (b) (6), (b) (7)(C):

We have carefully considered your charge that Amazon has violated the National Labor Relations Act.

Decision to Dismiss: In view of your lack of cooperation in investigating this case, I have determined that further proceedings are not warranted at this time and I am dismissing your charge.

Your charge alleges that Amazon violated Section 8(a)(1) of the National Labor Relations Act in four respects. This includes failing to adhere to break policies, maintaining a quota system that is unfair, and not ensuring security with respect to calls to an ethics hotline.

By letter from this office dated August 14, 2019, you were advised that, as the party who filed the charge in this case, it was your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. You were cautioned that your failure to present evidence would result in dismissal of your case with no further investigation by this Agency.

You became unresponsive to communications from the Board agent assigned to your case starting on September 26. The Board left you a voicemail and emailed you on September 26 without response. The Board agent left you another voicemail on October 3. Again, you did not return this call. Because of your unresponsiveness, a letter was sent to you by mail and email on October 4 scheduling you to provide an affidavit at 10:00 a.m. on October 11. The letter expressed flexibility in rescheduling to another time, but it clearly established a deadline of October 11 to provide an affidavit and of October 10 to reschedule to a time within that deadline.

You only contacted the Board agent after receiving the letter on October 9. In emails sent on October 9-10, you refused to make yourself available for an affidavit by October 11, even though the agent offered to accommodate your schedule outside of normal office hours. You also refused to offer availability for the following week. Ultimately, you did not appear to provide an affidavit as scheduled at 10:00 a.m. on October 11.

Therefore, you have failed to satisfy your duty to cooperate in the investigation because you did not make yourself available to provide a sworn affidavit. You were on notice of this duty through the August 14 letter from this office. Nonetheless, you became unresponsive for almost two weeks and did not meet the deadline for providing an affidavit that the Region was forced to set because of your unresponsiveness.

If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlr.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **October 29, 2019**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 28, 2019. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 29, 2019**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 29, 2019, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Nancy Wilson

Nancy Wilson
Acting Regional Director

Enclosure

cc: Michael E. Lignowski, Esq.
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